

REFERENCE TITLE: registered nurses; advanced practice

State of Arizona
Senate
Fifty-second Legislature
Second Regular Session
2016

SB 1473

Introduced by
Senator Barto; Representative Boyer; Senator Pancrazi; Representative Rios

AN ACT

AMENDING SECTION 32-1601, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2015, CHAPTER 262, SECTION 1; AMENDING SECTION 32-1602, ARIZONA REVISED STATUTES; AMENDING SECTION 32-1603, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2015, CHAPTER 262, SECTION 2; AMENDING SECTION 32-1606, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2015, CHAPTER 262, SECTION 4; AMENDING SECTION 32-1631, ARIZONA REVISED STATUTES; REPEALING SECTIONS 32-1634.03 AND 32-1634.04, ARIZONA REVISED STATUTES; AMENDING SECTIONS 32-1635.01 AND 32-1636, ARIZONA REVISED STATUTES; AMENDING TITLE 32, CHAPTER 15, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-1641; AMENDING SECTION 32-1642, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2015, CHAPTER 262, SECTION 7; AMENDING SECTION 32-1643, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2015, CHAPTER 262, SECTION 8; AMENDING SECTIONS 32-1644 AND 32-1663, ARIZONA REVISED STATUTES; AMENDING SECTION 32-1666, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2015, CHAPTER 262, SECTION 19; AMENDING SECTION 32-1921, ARIZONA REVISED STATUTES; RELATING TO THE ARIZONA STATE BOARD OF NURSING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 32-1601, Arizona Revised Statutes, as amended by
3 Laws 2015, chapter 262, section 1, is amended to read:

4 32-1601. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "Absolute discharge from the sentence" means completion of any
7 sentence, including imprisonment, probation, parole, community supervision or
8 any form of court supervision.

9 2. "ADVANCED PRACTICE REGISTERED NURSE" MEANS A REGISTERED NURSE WHO
10 IS LICENSED TO PRACTICE ADVANCED PRACTICE NURSING AND WHO PRACTICES WITHIN
11 THE LIMITS OF EDUCATION, CERTIFICATION AND LICENSURE AS PROVIDED IN THIS
12 CHAPTER AND IN RULE IN ONE OF THE FOLLOWING ROLES:

13 (a) CERTIFIED NURSE PRACTITIONER.

14 (b) CERTIFIED REGISTERED NURSE ANESTHETIST.

15 (c) CERTIFIED NURSE MIDWIFE.

16 (d) CLINICAL NURSE SPECIALIST.

17 ~~2-~~ 3. "Approval" means that a regulated training or educational
18 program to prepare persons for licensure, certification or registration has
19 met standards established by the board.

20 ~~3-~~ 4. "Board" means the Arizona state board of nursing.

21 ~~4-~~ 5. "Certified nursing assistant" means a person who is registered
22 on the registry of nursing assistants pursuant to this chapter to provide or
23 assist in the delivery of nursing or nursing-related services under the
24 supervision and direction of a licensed nursing staff member. Certified
25 nursing assistant does not include a person who:

26 (a) Is a licensed health care professional.

27 (b) Volunteers to provide nursing assistant services without monetary
28 compensation.

29 (c) Is a licensed nursing assistant.

30 ~~5-~~ 6. "Certified registered nurse" means a registered nurse who has
31 been certified by a national nursing credentialing agency recognized by the
32 board.

33 ~~6. "Certified registered nurse anesthetist" means a registered nurse~~
34 ~~who meets the requirements of section 32-1634.03 and who practices pursuant~~
35 ~~to the requirements of section 32-1634.04.~~

36 ~~7. "Clinical nurse specialist" means a registered nurse who:~~

37 ~~(a) Is certified by the board as a clinical nurse specialist.~~

38 ~~(b) Holds a graduate degree with a major in nursing and completes~~
39 ~~educational requirements as prescribed by the board by rule.~~

40 ~~(c) Is nationally certified as a clinical nurse specialist or, if~~
41 ~~certification is not available, provides proof of competence to the board.~~

42 ~~(d) Has an expanded scope of practice based on advanced education in a~~
43 ~~clinical nursing specialty that includes:~~

- ~~(i) Assessing clients, synthesizing and analyzing data and understanding and applying nursing principles at an advanced level.~~
- ~~(ii) Managing directly and indirectly a client's physical and psychosocial health status.~~
- ~~(iii) Analyzing multiple sources of data, identifying alternative possibilities as to the nature of a health care problem and selecting appropriate nursing interventions.~~
- ~~(iv) Developing, planning and guiding programs of care for populations of patients.~~
- ~~(v) Making independent nursing decisions to solve complex client care problems.~~
- ~~(vi) Using research skills and acquiring and applying critical new knowledge and technologies to nursing practice.~~
- ~~(vii) Prescribing and dispensing durable medical equipment.~~
- ~~(viii) Consulting with or referring a client to other health care providers based on assessment of the client's health status and needs.~~
- ~~(ix) Facilitating collaboration with other disciplines to attain the desired client outcome across the continuum of care.~~
- ~~(x) Performing additional acts that require education and training as prescribed by the board and that are recognized by the nursing profession as proper to be performed by a clinical nurse specialist.~~

~~8.~~ 7. "Conditional license" or "conditional approval" means a license or approval that specifies the conditions under which the regulated party is allowed to practice or to operate and that is prescribed by the board pursuant to section 32-1644 or 32-1663.

~~9.~~ 8. "Delegation" means transferring to a competent individual the authority to perform a selected nursing task in a designated situation in which the nurse making the delegation retains accountability for the delegation.

~~10.~~ 9. "Disciplinary action" means a regulatory sanction of a license, certificate or approval pursuant to this chapter in any combination of the following:

- (a) A civil penalty for each violation of this chapter, not to exceed one thousand dollars for each violation.
- (b) Restitution made to an aggrieved party.
- (c) A decree of censure.
- (d) A conditional license or a conditional approval that fixed a period and terms of probation.
- (e) Limited licensure.
- (f) Suspension of a license, a certificate or an approval.
- (g) Voluntary surrender of a license, a certificate or an approval.
- (h) Revocation of a license, a certificate or an approval.

~~11.~~ 10. "Health care institution" has the same meaning prescribed in section 36-401.

~~12.~~ 11. "Licensed nursing assistant" means a person who is licensed pursuant to this chapter to provide or assist in the delivery of nursing or nursing-related services under the supervision and direction of a licensed nursing staff member. Licensed nursing assistant does not include a person who:

(a) Is a licensed health care professional.

(b) Volunteers to provide nursing assistant services without monetary compensation.

(c) Is a certified nursing assistant.

~~13.~~ 12. "Licensee" means a person who is licensed pursuant to this chapter or in a party state as defined in section 32-1668.

~~14.~~ 13. "Limited license" means a license that restricts the scope or setting of a licensee's practice.

~~15.~~ 14. "Medication order" means a written or verbal communication given by a certified registered nurse anesthetist to a health care professional to administer a drug or medication.

~~16.~~ 15. "Practical nurse" means a person who holds a practical nurse license issued pursuant to this chapter or pursuant to a multistate compact privilege and who practices practical nursing as defined in this section.

~~17.~~ 16. "Practical nursing" includes the following activities that are performed under the supervision of a physician or a registered nurse:

(a) Contributing to the assessment of the health status of individuals and groups.

(b) Participating in the development and modification of the strategy of care.

(c) Implementing aspects of the strategy of care within the nurse's scope of practice.

(d) Maintaining safe and effective nursing care that is rendered directly or indirectly.

(e) Participating in the evaluation of responses to interventions.

(f) Delegating nursing activities within the scope of practice of a practical nurse.

(g) Performing additional acts that require education and training as prescribed by the board and that are recognized by the nursing profession as proper to be performed by a practical nurse.

~~18. "Presence" means within the same room or an adjoining room or within the same surgical or obstetrical suite.~~

~~19.~~ 17. "Registered nurse" or "professional nurse" means a person who practices registered nursing and who holds a registered nurse license issued pursuant to this chapter or pursuant to a multistate compact privilege.

~~20. "Registered nurse practitioner" means a registered nurse who:~~

~~(a) Is certified by the board.~~

~~(b) Has completed a nurse practitioner education program approved or recognized by the board and educational requirements prescribed by the board by rule.~~

~~(c) If applying for certification after July 1, 2004, holds national certification as a nurse practitioner from a national certifying body recognized by the board.~~

~~(d) Has an expanded scope of practice within a specialty area that includes:~~

~~(i) Assessing clients, synthesizing and analyzing data and understanding and applying principles of health care at an advanced level.~~

~~(ii) Managing the physical and psychosocial health status of clients.~~

~~(iii) Analyzing multiple sources of data, identifying alternative possibilities as to the nature of a health care problem and selecting, implementing and evaluating appropriate treatment.~~

~~(iv) Making independent decisions in solving complex client care problems.~~

~~(v) Diagnosing, performing diagnostic and therapeutic procedures, and prescribing, administering and dispensing therapeutic measures, including legend drugs, medical devices and controlled substances within the scope of registered nurse practitioner practice on meeting the requirements established by the board.~~

~~(vi) Recognizing the limits of the nurse's knowledge and experience and planning for situations beyond the nurse's knowledge, educational preparation and expertise by consulting with or referring clients to other health care providers when appropriate.~~

~~(vii) Delegating to a medical assistant pursuant to section 32-1456.~~

~~(viii) Performing additional acts that require education and training as prescribed by the board and that are recognized by the nursing profession as proper to be performed by a nurse practitioner.~~

~~21.~~ 18. "Registered nursing" includes the following:

(a) Diagnosing and treating human responses to actual or potential health problems.

(b) Assisting individuals and groups to maintain or attain optimal health by implementing a strategy of care to accomplish defined goals and evaluating responses to care and treatment.

(c) Assessing the health status of individuals and groups.

(d) Establishing a nursing diagnosis.

(e) Establishing goals to meet identified health care needs.

(f) Prescribing nursing interventions to implement a strategy of care.

(g) Delegating nursing interventions to others who are qualified to do so.

(h) Providing for the maintenance of safe and effective nursing care that is rendered directly or indirectly.

(i) Evaluating responses to interventions.

(j) Teaching nursing knowledge and skills.

(k) Managing and supervising the practice of nursing.

1 (1) Consulting and coordinating with other health care professionals
2 in the management of health care.

3 (m) Performing additional acts that require education and training as
4 prescribed by the board and that are recognized by the nursing profession as
5 proper to be performed by a registered nurse.

6 ~~22.~~ 19. "Registry of nursing assistants" means the nursing assistants
7 registry maintained by the board pursuant to the omnibus budget
8 reconciliation act of 1987 (P.L. 100-203; 101 Stat. 1330), as amended by the
9 medicare catastrophic coverage act of 1988 (P.L. 100-360; 102 Stat. 683).

10 ~~23.~~ 20. "Regulated party" means any person or entity that is
11 licensed, certified, registered, recognized or approved pursuant to this
12 chapter.

13 ~~24.~~ 21. "Unprofessional conduct" includes the following, whether
14 occurring in this state or elsewhere:

15 (a) Committing fraud or deceit in obtaining, attempting to obtain or
16 renewing a license or a certificate issued pursuant to this chapter.

17 (b) Committing a felony, whether or not involving moral turpitude, or
18 a misdemeanor involving moral turpitude. In either case, conviction by a
19 court of competent jurisdiction or a plea of no contest is conclusive
20 evidence of the commission.

21 (c) Aiding or abetting in a criminal abortion or attempting, agreeing
22 or offering to procure or assist in a criminal abortion.

23 (d) Any conduct or practice that is or might be harmful or dangerous
24 to the health of a patient or the public.

25 (e) Being mentally incompetent or physically unsafe to a degree that
26 is or might be harmful or dangerous to the health of a patient or the public.

27 (f) Having a license, certificate, permit or registration to practice
28 a health care profession denied, suspended, conditioned, limited or revoked
29 in another jurisdiction and not reinstated by that jurisdiction.

30 (g) Wilfully or repeatedly violating a provision of this chapter or a
31 rule adopted pursuant to this chapter.

32 (h) Committing an act that deceives, defrauds or harms the public.

33 (i) Failing to comply with a stipulated agreement, consent agreement
34 or board order.

35 (j) Violating this chapter or a rule that is adopted by the board
36 pursuant to this chapter.

37 (k) Failing to report to the board any evidence that a registered or
38 practical nurse or a nursing assistant is or may be:

39 (i) Incompetent to practice.

40 (ii) Guilty of unprofessional conduct.

41 (iii) Mentally or physically unable to safely practice nursing or to
42 perform nursing related duties. A nurse who is providing therapeutic
43 counseling for a nurse who is in a drug rehabilitation program is required to
44 report that nurse only if the nurse providing therapeutic counseling has
45 personal knowledge that patient safety is being jeopardized.

1 (l) Failing to self-report a conviction for a felony or undesignated
2 offense within ten days after the conviction.

3 (m) Cheating or assisting another to cheat on a licensure or
4 certification examination.

5 Sec. 2. Section 32-1602, Arizona Revised Statutes, is amended to read:
6 32-1602. Arizona state board of nursing: member terms: immunity

7 A. The ARIZONA state board of nursing is established consisting of
8 eleven members who are appointed by the governor. Six members shall be
9 registered nurses, including at least one ~~registered nurse practitioner,~~
10 ~~clinical nurse specialist or certified registered nurse anesthetist~~ ADVANCED
11 PRACTICE REGISTERED NURSE. One member shall be a nursing assistant or a
12 nursing assistant educator. Two members shall represent the public and two
13 members shall be licensed practical nurses. Members shall be appointed for a
14 term of five years, to begin and end on June 30.

15 B. On or before May 1 each year and at any other time a vacancy on the
16 board occurs, the governor shall make an appointment or appointments to the
17 board. Appointment to fill a vacancy other than by expiration shall be for
18 the unexpired term. A person shall not serve more than two consecutive terms
19 as a member of the board.

20 C. The governor may remove any person from the board for neglect of
21 any duty imposed by law or for incompetency or unprofessional or dishonorable
22 conduct.

23 D. A board member's term automatically ends:

- 24 1. On the death of the member.
25 2. On the member's written resignation submitted to the board
26 president or to the governor.
27 3. On the member's failure to attend three consecutive board meetings.

28 E. A board member who acts within the scope of board duties, without
29 malice and in the reasonable belief that the member's action is warranted by
30 law is not subject to civil liability.

31 Sec. 3. Section 32-1603, Arizona Revised Statutes, as amended by Laws
32 2015, chapter 262, section 2, is amended to read:

33 32-1603. Qualifications of board members

34 A. Each registered nurse member of the board shall:

- 35 1. Be a resident of the state.
36 2. Be a graduate of an approved registered nursing program.
37 3. Be licensed as a registered nurse in this state.
38 4. Have had at least five years' experience in nursing following
39 graduation, including executive, supervisory or teaching experience in
40 nursing education or nursing service.
41 5. Have been actively engaged in the practice of nursing or nursing
42 activities for at least three years preceding the appointment.

- 1 B. Each licensed practical nurse member of the board shall:
- 2 1. Be a resident of this state.
- 3 2. Be a graduate of an approved practical nursing program.
- 4 3. Be licensed as a licensed practical nurse in this state.
- 5 4. Have had at least five years' experience in practical nursing
- 6 following graduation.
- 7 5. Have been actively engaged in the practice of nursing for at least
- 8 three years preceding the appointment.
- 9 C. Each public member of the board shall be a person who:
- 10 1. Is not licensed pursuant to chapter 7, 8, 11, 13, 14, 15.1, 16, 17,
- 11 18, 19, 19.1, 21, 25 or 29 of this title or this chapter as an individual
- 12 health care provider.
- 13 2. Is not an employee of any health care institution licensed pursuant
- 14 to title 36, chapter 4 or any authorized insurer providing disability
- 15 insurance coverage in this state.
- 16 3. Does not have a financial interest as a provider in the delivery of
- 17 health care services.
- 18 D. Each licensed nursing assistant or certified nursing assistant
- 19 member of the board shall either:
- 20 1. Be a licensed nursing assistant or a certified nursing assistant
- 21 pursuant to this chapter and currently practice or have practiced within
- 22 three years before initial appointment to the board.
- 23 2. Within one year before appointment to the board, have been employed
- 24 as an instructor or coordinator in an approved licensed nursing assistant or
- 25 certified nursing assistant training program.
- 26 E. For at least three years preceding appointment to the board, each
- 27 ~~registered nurse practitioner or clinical nurse specialist~~ ADVANCED PRACTICE
- 28 REGISTERED NURSE member shall be ~~certified~~ LICENSED pursuant to this chapter
- 29 and actively practicing as ~~a registered nurse practitioner, actively engaged~~
- 30 ~~in a clinical nurse specialist practice~~ AN ADVANCED PRACTICE REGISTERED NURSE
- 31 or teaching.
- 32 F. Each member of the board shall take and subscribe to the oath
- 33 prescribed by law for state officers, which shall be filed with the secretary
- 34 of state.
- 35 Sec. 4. Section 32-1606, Arizona Revised Statutes, as amended by Laws
- 36 2015, chapter 262, section 4, is amended to read:
- 37 32-1606. Powers and duties of board
- 38 A. The board may:
- 39 1. Adopt and revise rules necessary to carry into effect this chapter.
- 40 2. Publish advisory opinions regarding registered and practical
- 41 nursing practice and nursing education.
- 42 3. Issue limited licenses or certificates if it determines that an
- 43 applicant or licensee cannot function safely in a specific setting or within
- 44 the full scope of practice.

1 4. Refer criminal violations of this chapter to the appropriate law
2 enforcement agency.

3 5. Establish a confidential program for the monitoring of licensees
4 who are chemically dependent and who enroll in rehabilitation programs that
5 meet the criteria established by the board. The board may take further
6 action if the licensee refuses to enter into a stipulated agreement or fails
7 to comply with its terms. In order to protect the public health and safety,
8 the confidentiality requirements of this paragraph do not apply if the
9 licensee does not comply with the stipulated agreement.

10 6. On the applicant's or regulated party's request, establish a
11 payment schedule with the applicant or regulated party.

12 7. Provide education regarding board functions.

13 8. Collect or assist in the collection of workforce data.

14 9. Adopt rules for conducting pilot programs consistent with public
15 safety for innovative applications in nursing practice, education and
16 regulation.

17 10. Grant retirement status on request to retired nurses who are or
18 were licensed under this chapter, who have no open complaint or investigation
19 pending against them and who are not subject to discipline.

20 11. Accept and spend federal monies and private grants, gifts,
21 contributions and devises to assist in carrying out the purposes of this
22 chapter. These monies do not revert to the state general fund at the end of
23 the fiscal year.

24 B. The board shall:

25 1. Approve regulated training and educational programs that meet the
26 requirements of this chapter and rules adopted by the board.

27 2. By rule, establish approval and reapproval processes for nursing
28 and nursing assistant training programs that meet the requirements of this
29 chapter and board rules.

30 3. Prepare and maintain a list of approved nursing programs for the
31 preparation of registered and practical nurses whose graduates are eligible
32 for licensing under this chapter as registered nurses or as practical nurses
33 if they satisfy the other requirements of this chapter and board rules.

34 4. Examine qualified registered and practical nurse applicants.

35 5. License and renew the licenses of qualified registered and
36 practical nurse applicants and licensed nursing assistants who are not
37 qualified to be licensed by the executive director.

38 6. Adopt a seal, which the executive director shall keep.

39 7. Keep a record of all proceedings.

40 8. For proper cause, deny or rescind approval of a regulated training
41 or educational program for failure to comply with this chapter or the rules
42 of the board.

43 9. Adopt rules for the approval of credential evaluation services that
44 evaluate the qualifications of applicants who graduated from an international
45 nursing program.

1 10. Determine and administer appropriate disciplinary action against
2 all regulated parties who are found guilty of violating this chapter or rules
3 adopted by the board.

4 11. Perform functions necessary to carry out the requirements of
5 nursing assistant and nurse aide training and competency evaluation program
6 as set forth in the omnibus budget reconciliation act of 1987 (P.L. 100-203;
7 101 Stat. 1330), as amended by the medicare catastrophic coverage act of 1988
8 (P.L. 100-360; 102 Stat. 683). These functions shall include:

- 9 (a) Testing and registration of certified nursing assistants.
10 (b) Testing and licensing of licensed nursing assistants.
11 (c) Maintaining a list of ~~board-approved~~ BOARD-APPROVED training
12 programs.
13 (d) Maintaining a registry of nursing assistants for all certified
14 nursing assistants and licensed nursing assistants.
15 (e) Assessing fees.

16 12. Adopt rules establishing those acts that may be performed by
17 ~~a registered nurse practitioner in collaboration with a licensed physician,~~
18 ~~except that the board does not have authority to decide scope of practice~~
19 ~~relating to abortion as defined in section 36-2151~~ AN ADVANCED PRACTICE
20 REGISTERED NURSE WITHIN THE FOCUS OF CARE FOR EACH ROLE. THE BOARD SHALL NOT
21 ADOPT A SCOPE OF PRACTICE THAT IS INCONSISTENT WITH TITLE 36, CHAPTER 20,
22 ARTICLE 1.

23 13. Adopt rules establishing educational requirements for the
24 certification of school nurses.

25 14. Publish copies of board rules and distribute these copies on
26 request.

27 15. Require each applicant for initial licensure or certification to
28 submit a full set of fingerprints to the board for the purpose of obtaining a
29 state and federal criminal records check pursuant to section 41-1750 and
30 Public Law 92-544. The department of public safety may exchange this
31 fingerprint data with the federal bureau of investigation.

32 16. Revoke a license of a person, revoke the multistate licensure
33 privilege of a person pursuant to section 32-1669 or not issue a license or
34 renewal to an applicant who has one or more felony convictions and who has
35 not received an absolute discharge from the sentences for all felony
36 convictions five or more years before the date of filing an application
37 pursuant to this chapter.

38 17. Establish standards for approving and reapproving ~~nurse~~
39 ~~practitioner and clinical nurse specialist~~ ADVANCED PRACTICE REGISTERED
40 NURSING programs and provide for surveys of ~~nurse practitioner and clinical~~
41 ~~nurse specialist~~ ADVANCED PRACTICE REGISTERED NURSING programs as it deems
42 necessary.

43 18. Provide the licensing authorities of health care institutions,
44 facilities and homes any information the board receives regarding practices
45 that place a patient's health at risk.

1 19. Limit the multistate licensure privilege of any person who holds or
2 applies for a license in this state pursuant to section 32-1668.

3 20. Adopt rules to establish competency standards for obtaining and
4 maintaining a license.

5 ~~21. Adopt rules for the qualification and certification of clinical~~
6 ~~nurse specialists.~~

7 21. ADOPT RULES PURSUANT TO SECTION 32-1921, SUBSECTION A, PARAGRAPH 1
8 TO ESTABLISH EDUCATIONAL AND PRACTICE REQUIREMENTS FOR GRANTING PRESCRIBING
9 AND DISPENSING PRIVILEGES FOR ADVANCED PRACTICE REGISTERED NURSES CONSISTENT
10 WITH THE EDUCATION, CERTIFICATION AND LICENSURE OF EACH ROLE AND THIS
11 CHAPTER.

12 22. Adopt rules for approval and reapproval of refresher courses for
13 nurses who are not currently practicing.

14 23. Maintain a list of approved medication assistant training programs.

15 24. Test and certify medication assistants.

16 25. Maintain a registry and disciplinary record of medication
17 assistants who are certified pursuant to this chapter.

18 C. The board may conduct an investigation on receipt of information
19 that indicates that a person or regulated party may have violated this
20 chapter or a rule adopted pursuant to this chapter. Following the
21 investigation, the board may take disciplinary action pursuant to this
22 chapter.

23 D. The board may limit, revoke or suspend the privilege of a nurse to
24 practice in this state granted pursuant to section 32-1668.

25 E. Failure to comply with any final order of the board, including an
26 order of censure or probation, is cause for suspension or revocation of a
27 license or a certificate.

28 F. The president or a member of the board designated by the president
29 may administer oaths in transacting the business of the board.

30 Sec. 5. Section 32-1631, Arizona Revised Statutes, is amended to read:

31 32-1631. Acts and persons not affected by chapter

32 This chapter does not prohibit:

33 1. Auxiliary or supportive services by maids, porters, messengers, bus
34 boys, nurses aides or attendants working under competent supervision in a
35 licensed hospital, or gratuitous care by friends or members of the family of
36 a sick or infirm person or incidental care of the sick by a domestic servant
37 or person employed primarily as a housekeeper, as long as these persons do
38 not practice registered nursing or claim to be licensed practical nurses.

39 2. Nursing assistance in cases of emergency.

40 3. Nursing by duly enrolled prelicensure students under competent
41 supervision in approved nursing programs.

42 4. The practice of nursing in this state by any legally qualified
43 nurse of another state whose engagement requires the nurse to accompany and
44 care for a patient temporarily residing in this state during one such

engagement not to exceed six months, if the nurse does not claim to be a nurse licensed to practice in this state.

5. Nursing by any legally qualified nurse of another state who is employed by the government of the United States or any bureau, division or agency of the United States government in the discharge of that person's official duties.

6. Caring for the sick in connection with the practice of religion or treatment by prayer.

7. ~~Registered nurse practitioner or clinical nurse specialist~~ THE practice OF ADVANCED PRACTICE REGISTERED NURSING by duly enrolled students under competent supervision as part of ~~a registered nurse practitioner or clinical nurse specialist~~ AN ADVANCED PRACTICE REGISTERED NURSING program if the program is approved by a United States nursing regulatory agency in the state of the parent institution and the student is authorized to practice registered nursing in this state.

8. Nursing education provided to students in this state that is provided electronically or in person by a person who resides in another state and who is licensed to practice registered nursing in that state if the provision of education does not exceed six consecutive months in any calendar year and does not include supervising or providing clinical care.

9. Consulting services that are provided to persons in this state electronically or in person by a person who resides in another state and who is licensed to practice registered nursing in that state if the provision of services does not exceed six consecutive months in any calendar year and does not include direct patient care.

Sec. 6. Repeal

Sections 32-1634.03 and 32-1634.04, Arizona Revised Statutes, are repealed.

Sec. 7. Section 32-1635.01, Arizona Revised Statutes, is amended to read:

32-1635.01. Temporary advanced practice registered nurse license

A. The board may issue a temporary ~~nurse practitioner certificate~~ ADVANCED PRACTICE REGISTERED NURSE LICENSE, including prescribing and dispensing authority, ~~or a temporary clinical nurse specialist certificate~~ to a registered nurse who holds an unencumbered temporary or permanent license and who meets the requirements for ~~certification~~ LICENSURE and prescribing and dispensing authority as prescribed by THIS CHAPTER AND board rules.

B. A temporary ~~certificate~~ LICENSE expires on the date specified in the ~~certificate~~ LICENSE and may be renewed at the discretion of the executive director.

Sec. 8. Section 32-1636, Arizona Revised Statutes, is amended to read:

32-1636. Use of titles or abbreviations

A. Only a person who holds a valid and current license to practice registered nursing in this state or in a party state pursuant to section

32-1668 may use the title "nurse", "registered nurse", "graduate nurse" or "professional nurse" or the abbreviation "R.N.".

B. Only a person who holds a valid and current license to practice practical nursing in this state or in a party state as defined in section 32-1668 may use the title "nurse", "licensed practical nurse" or "practical nurse" or the abbreviation "L.P.N.".

C. Only a person who holds a valid and current ~~certificate~~ LICENSE issued pursuant to this chapter to practice as a ~~registered~~ CERTIFIED nurse practitioner in this state may use the title "nurse practitioner", ~~OR "registered CERTIFIED nurse practitioner" or "nurse midwife", if applicable,~~ ~~or~~ use any words or letters to indicate the person is a ~~registered~~ CERTIFIED nurse practitioner. A person who is ~~certified~~ LICENSED as a ~~registered~~ CERTIFIED nurse practitioner shall indicate by title or initials the specialty area of ~~certification~~ LICENSE.

D. Only a person who holds a valid and current ~~certificate~~ LICENSE issued pursuant to this chapter to practice as a clinical nurse specialist may use the title "clinical nurse specialist" or use any words or letters to indicate the person is a clinical nurse specialist. A person who is ~~certified~~ LICENSED as a clinical nurse specialist shall indicate by title or initials the specialty area of ~~certification~~ LICENSE.

E. ONLY A PERSON WHO HOLDS A VALID AND CURRENT LICENSE ISSUED PURSUANT TO THIS CHAPTER TO PRACTICE AS A CERTIFIED NURSE MIDWIFE MAY USE THE TITLE "CERTIFIED NURSE MIDWIFE" OR "NURSE MIDWIFE" OR USE ANY WORDS OR LETTERS TO INDICATE THE PERSON IS A CERTIFIED NURSE MIDWIFE. A PERSON WHO IS LICENSED AS A CERTIFIED NURSE MIDWIFE SHALL INDICATE BY TITLE OR INITIALS THE SPECIALTY AREA OF LICENSE.

F. ONLY A PERSON WHO HOLDS A VALID AND CURRENT LICENSE ISSUED PURSUANT TO THIS CHAPTER TO PRACTICE AS A CERTIFIED REGISTERED NURSE ANESTHETIST MAY USE THE TITLE "CERTIFIED REGISTERED NURSE ANESTHETIST" OR "NURSE ANESTHETIST" OR USE ANY WORDS OR LETTERS TO INDICATE THE PERSON IS A CERTIFIED REGISTERED NURSE ANESTHETIST. A PERSON WHO IS LICENSED AS A CERTIFIED REGISTERED NURSE ANESTHETIST SHALL INDICATE BY TITLE OR INITIALS THE AREA OF LICENSE.

~~E.~~ G. A nurse who is granted retirement status shall not practice nursing but may use the title "registered nurse-retired" or "RN-retired" or "licensed practical nurse-retired" or "LPN-retired", as applicable.

Sec. 9. Title 32, chapter 15, article 2, Arizona Revised Statutes, is amended by adding section 32-1641, to read:

32-1641. Advanced practice registered nurses; licensing; scope of practice; prescribing privileges; requirements; definition

A. THE BOARD MAY LICENSE A REGISTERED NURSE PURSUANT TO THIS CHAPTER AS AN ADVANCED PRACTICE REGISTERED NURSE IF THE REGISTERED NURSE MEETS ALL OF THE FOLLOWING REQUIREMENTS:

1. SUBMITS AN APPLICATION AS PRESCRIBED BY THE BOARD.

1 2. HAS COMPLETED AN ACCREDITED GRADUATE-LEVEL EDUCATION PROGRAM FOR
2 ADVANCED PRACTICE REGISTERED NURSES IN ONE OF THE FOUR ROLES SPECIFIED IN
3 SECTION 32-1601, PARAGRAPH 2 AND, IF APPLYING FOR LICENSURE AS A CLINICAL
4 NURSE SPECIALIST OR A CERTIFIED NURSE PRACTITIONER, IN AT LEAST ONE
5 POPULATION FOCUS.

6 3. HAS PASSED A NATIONAL CERTIFICATION EXAMINATION AS SPECIFIED BY THE
7 BOARD THAT MEASURES THE ADVANCED PRACTICE REGISTERED NURSE ROLE AND THE
8 RELATED COMPETENCIES.

9 4. HAS PAID THE REQUIRED FEE.

10 B. IN ADDITION TO THE REGISTERED NURSE SCOPE OF PRACTICE AND WITHIN
11 THE ROLE AND COMPETENCY FOCUS OF THE ADVANCED PRACTICE REGISTERED NURSE, THE
12 SCOPE OF PRACTICE SHALL INCLUDE:

13 1. MAINTAINING AND PROMOTING HEALTH AND THE PREVENTION OF DISEASE.

14 2. DIAGNOSING, INCLUDING ORDERING THE INTERPRETING DIAGNOSTIC
15 PROCEDURES AS APPROPRIATE FOR THE PERSON'S LEVEL OF EDUCATION AND TRAINING.

16 3. IF GRANTED PRIVILEGES AND SUBJECT TO THE REQUIREMENTS AND
17 LIMITATIONS SPECIFIED IN THIS SECTION, PRESCRIBING, ORDERING AND DISPENSING
18 PHARMACOLOGICAL AGENTS.

19 4. DELEGATING AND ASSIGNING THERAPEUTIC MEASURES TO ASSISTIVE
20 PERSONNEL.

21 5. CONSULTING WITH OTHER DISCIPLINES AND PROVIDING REFERRALS TO HEALTH
22 CARE AGENCIES, HEALTH CARE PROVIDERS AND COMMUNITY RESOURCES.

23 6. PLANNING AND INITIATING A THERAPEUTIC REGIMEN THAT MAY INCLUDE
24 ORDERING AND PRESCRIBING NONPHARMACOLOGICAL INTERVENTIONS, INCLUDING DURABLE
25 MEDICAL EQUIPMENT, MEDICAL DEVICES, NUTRITION AND DIAGNOSTIC AND SUPPORTIVE
26 SERVICES SUCH AS HOME HEALTH CARE, HOSPICE CARE AND PHYSICAL AND OCCUPATIONAL
27 THERAPIES.

28 7. PERFORMING ADDITIONAL ACTS THAT REQUIRE EDUCATION AND TRAINING AS
29 PRESCRIBED BY THE BOARD AND THAT ARE PROPER TO BE PERFORMED BY AN ADVANCED
30 PRACTICE REGISTERED NURSE WITHIN THE FOCUS OF CARE FOR EACH ROLE.

31 C. IF GRANTED PRIVILEGES AND SUBJECT TO THE REQUIREMENTS AND
32 LIMITATIONS SPECIFIED IN THIS SECTION, PRESCRIBING, ADMINISTERING, PROCURING,
33 ORDERING AND DISPENSING PHARMACOLOGICAL AGENTS SHALL INCLUDE THE AUTHORITY TO
34 PRESCRIBE, ADMINISTER, PROCURE, ORDER AND DISPENSE PHARMACOLOGICAL AGENTS,
35 INCLUDING OVER-THE-COUNTER MEDICATIONS AND LEGEND AND CONTROLLED SUBSTANCES,
36 CONSISTENT WITH THE EDUCATION, CERTIFICATION AND LICENSURE OF THE APPLICANT.

37 D. AS PART OF AND COMPLEMENTARY TO A PROCEDURE, TEST OR CHILDBIRTH
38 DELIVERY PERFORMED OR ORDERED BY A HEALTH CARE PROVIDER, A CERTIFIED
39 REGISTERED NURSE ANESTHETIST, IN COORDINATION WITH THAT HEALTH CARE PROVIDER
40 OR A DESIGNATED PROVIDER AND WITHOUT SUPERVISION BY THE HEALTH CARE PROVIDER,
41 MAY:

42 1. NOTWITHSTANDING SUBSECTION B, PARAGRAPH 3 OF THIS SECTION,
43 PRESCRIBE AND PROVIDE ANESTHESIA AND ANALGESIC SERVICES AND TREATMENT
44 INCLUDING THOSE CONTROLLED SUBSTANCES NECESSARY TO PROVIDE THOSE SERVICES.

1 2. IF GRANTED PRESCRIBING PRIVILEGES PURSUANT TO THIS SECTION,
2 PRESCRIBE AND PROVIDE, FOR NOT MORE THAN SEVEN DAYS BEFORE OR AFTER A
3 PROCEDURE, TEST OR CHILDBIRTH DELIVERY, NON-ANESTHESIA AND NON-ANALGESIC
4 PHARMACOLOGICAL AGENTS NECESSARY TO FACILITATE THE PROVISION OF ANESTHESIA
5 AND ANALGESIC SERVICES. THE CERTIFIED REGISTERED NURSE ANESTHETIST SHALL NOT
6 PRESCRIBE AN OPIOID MEDICATION FOR PATIENT SELF-ADMINISTRATION.

7 E. THE PRESCRIBING PRIVILEGES OF A CLINICAL NURSE SPECIALIST ARE
8 LIMITED AS FOLLOWS:

9 1. A CLINICAL NURSE SPECIALIST MAY NOT PRESCRIBE OPIOID MEDICATIONS
10 FOR PATIENT SELF-ADMINISTRATION.

11 2. A CLINICAL NURSE SPECIALIST WHO HAS BEEN GRANTED PRESCRIBING
12 PRIVILEGES MAY PRESCRIBE ONLY FOR PATIENTS OF AN ACCREDITED OR LICENSED
13 HEALTH CARE INSTITUTION OR HEALTH CARE AGENCY THAT USES THE SERVICES OF THE
14 CLINICAL NURSE SPECIALIST AND SHALL OBSERVE THE PROTOCOLS AND STANDARDS OF
15 CARE OF THE INSTITUTION OR AGENCY.

16 3. A CLINICAL NURSE SPECIALIST SHALL NOTIFY THE MEDICAL DIRECTOR OR
17 THE PHYSICIAN RESPONSIBLE FOR MANAGING A PATIENT WITHIN ONE BUSINESS DAY
18 AFTER WRITING A PRESCRIPTION ORDER FOR THE PATIENT THAT IS NEW OR THAT
19 CHANGES AN EXISTING DOSAGE, UNLESS THE CLINICAL NURSE SPECIALIST IS ACTING
20 PURSUANT TO A WRITTEN PROTOCOL THAT PROVIDES FOR THE TYPES AND AMOUNTS OF
21 PHARMACOLOGICAL AGENTS TO BE PRESCRIBED.

22 F. THE REQUIREMENTS FOR AN ADVANCED PRACTICE REGISTERED NURSE TO BE
23 GRANTED PRIVILEGES TO PRESCRIBE PHARMACOLOGICAL AGENTS SHALL INCLUDE:

24 1. GRADUATE-LEVEL COURSES IN EACH OF THE FOLLOWING:

25 (a) ADVANCED PHYSIOLOGY AND PATHOPHYSIOLOGY, INCLUDING GENERAL
26 PRINCIPLES ACROSS A PERSON'S LIFE SPAN.

27 (b) ADVANCED HEALTH ASSESSMENT, WHICH INCLUDES ASSESSMENT OF ALL HUMAN
28 SYSTEMS AND ADVANCED ASSESSMENT TECHNIQUES, CONCEPTS AND APPROACHES AS
29 APPROPRIATE FOR EACH ROLE AND POPULATION FOCUS.

30 (c) ADVANCED PHARMACOLOGY, WHICH INCLUDES PHARMACODYNAMICS,
31 PHARMACOKINETICS AND PHARMACOTHERAPEUTICS OF ALL BROAD CATEGORY AGENTS.

32 (d) THE DIAGNOSIS AND MANAGEMENT OF DISEASES AS RELATED TO THE ROLE
33 AND POPULATION FOCUS OF THE APPLICANT.

34 (e) CLINICAL PRECEPTORSHIP IN PATIENT MANAGEMENT, INCLUDING
35 PHARMACOTHERAPEUTICS, THAT IS COMPARABLE TO THE REQUIREMENTS FOR THE
36 COMPLETION OF A CERTIFIED NURSE PRACTITIONER PROGRAM AS APPROPRIATE FOR EACH
37 ROLE AND POPULATION FOCUS. CLINICAL PRECEPTORS SHALL HOLD A CURRENT
38 UNENCUMBERED LICENSE TO PRACTICE EITHER AS A PHYSICIAN OR AS AN ADVANCED
39 PRACTICE REGISTERED NURSE WITH PRESCRIBING AUTHORITY AND AT LEAST ONE YEAR OF
40 CLINICAL EXPERIENCE.

41 2. MEETING THE REQUIREMENTS OF SUBSECTION A, PARAGRAPH 3 OF THIS
42 SECTION.

43 G. AN ADVANCED PRACTICE REGISTERED NURSE SHALL CONSULT WITH OR REFER
44 TO ONE OR MORE PERSONS WHO ARE LICENSED PURSUANT TO CHAPTER 7, 11, 13 OR 17
45 OF THIS TITLE IF THE CONSULTATION OR REFERRAL IS APPROPRIATE. AN ADVANCED

1 PRACTICE REGISTERED NURSE'S ACTIVITIES ARE NOT REQUIRED TO BE SUPERVISED BY A
2 PHYSICIAN, AND A REFERRAL AGREEMENT IS NOT REQUIRED.

3 H. FOR THE PURPOSES OF:

4 1. THIS SECTION, "OPIOID" MEANS A CLASS II CONTROLLED SUBSTANCE.

5 2. SUBSECTION D OF THIS SECTION:

6 (a) "COORDINATION" MEANS THAT THROUGH THE PERIOD IN WHICH ANESTHESIA
7 OR ANALGESIC SERVICES ARE PROVIDED BY THE CERTIFIED REGISTERED NURSE
8 ANESTHETIST EITHER:

9 (i) THE HEALTH CARE PROVIDER IS PERFORMING THE PROCEDURE, TEST OR
10 CHILDBIRTH.

11 (ii) THE HEALTH CARE PROVIDER HAS ORDERED ANESTHESIA OR ANALGESIC
12 SERVICES AND THE HEALTH CARE PROVIDER OR HEALTH CARE PROVIDER'S DESIGNEE IS
13 AVAILABLE ONSITE OR THROUGH TELECOMMUNICATION.

14 (b) "HEALTH CARE PROVIDER" MEANS A PERSON WHO IS LICENSED PURSUANT TO
15 CHAPTER 7, 11, 13 OR 17 OF THIS TITLE OR A CERTIFIED NURSE MIDWIFE WHO IS
16 LICENSED PURSUANT TO THIS CHAPTER AND WHO IS ACTING WITHIN THE MIDWIFE'S
17 SCOPE OF PRACTICE.

18 Sec. 10. Section 32-1642, Arizona Revised Statutes, as amended by Laws
19 2015, chapter 262, section 7, is amended to read:

20 32-1642. Renewal of license or registration; failure to renew

21 A. Except as provided in section 32-4301, a registered NURSE, ADVANCED
22 PRACTICE REGISTERED NURSE and practical nurse licensee shall renew the
23 license every four years on or before April 1. If a licensee does not renew
24 the license on or before May 1, the licensee shall pay an additional fee for
25 late renewal as prescribed in section 32-1643. If a licensee does not renew
26 the license on or before August 1, the license expires. It is a violation of
27 this chapter for a person to practice nursing with an expired license.

28 B. An applicant for renewal of a registered NURSE, ADVANCED PRACTICE
29 REGISTERED NURSE or practical nursing NURSE license shall submit a verified
30 statement that indicates whether the applicant has been convicted of a felony
31 and, if convicted of one or more felonies, indicates the date of absolute
32 discharge from the sentences for all felony convictions.

33 C. On receipt of the application and fee, the board shall verify the
34 accuracy of the application and issue to the applicant an active renewal
35 license, which shall be effective for the following four calendar years. The
36 renewal license shall render the holder a legal practitioner of nursing, as
37 specified in the license, during the period stated on the certificate of
38 renewal. A licensee who fails to secure a renewal license within the time
39 specified may secure a renewal license by making verified application as the
40 board prescribes by furnishing proof of being qualified and competent to act
41 as a registered NURSE, ADVANCED PRACTICE REGISTERED NURSE or practical nurse,
42 and additional information and material as required by the board, and by
43 payment of the prescribed fee.

44 D. Except as provided in section 32-4301, a licensed nursing assistant
45 shall renew the license every two years on the last day of the licensed

1 nursing assistant's birth month. An applicant for renewal shall submit a
2 verified statement that indicates whether the applicant has been convicted of
3 a felony and, if convicted of one or more felonies, indicates the date of
4 absolute discharge from the sentences for all felony convictions. On receipt
5 of the application and fee, the board shall issue a renewal license to
6 qualified applicants.

7 E. Except as provided in section 32-4301, a certified nursing
8 assistant shall file an application to renew the certified nursing assistant
9 registration every two years on the last day of the certified nursing
10 assistant's birth month. An applicant for renewal shall submit a verified
11 statement that indicates whether the applicant has performed nursing or
12 nursing-related services within the previous twenty-four consecutive months
13 and whether the individual's registry entry includes documented findings of
14 abuse, neglect or misappropriation of property. On receipt of the
15 application, the board shall issue a renewal registration to each qualified
16 renewal applicant.

17 F. On written request to the board, the name and license of a licensee
18 in good standing may be transferred to an inactive list. The licensee shall
19 not practice during the time the license is inactive, and renewal fees do not
20 accrue. If an inactive licensee wishes to resume the practice of nursing,
21 the board shall renew the license on satisfactory showing that the licensee
22 is then qualified and competent to practice and on payment of the current
23 renewal fee. The licensee shall also file with the board a verified
24 statement that indicates whether the applicant has been convicted of a felony
25 and, if convicted of one or more felonies, that indicates the date of
26 absolute discharge from the sentences for all felony convictions.

27 Sec. 11. Section 32-1643, Arizona Revised Statutes, as amended by Laws
28 2015, chapter 262, section 8, is amended to read:

29 32-1643. Fees; penalties

30 A. The board by formal vote at its annual meeting shall establish fees
31 not to exceed the following amounts:

32 1. Initial application for ~~certification for certified registered~~
33 ~~nurse anesthetist, registered nurse practitioner and clinical nurse~~
34 ~~specialist in specialty areas~~ LICENSURE AS AN ADVANCED PRACTICE REGISTERED
35 NURSE, one hundred fifty dollars.

36 2. Initial application for school nurse certification, seventy-five
37 dollars.

38 3. Initial application for license as a registered nurse, one hundred
39 fifty dollars.

40 4. Initial application for license as a practical nurse, one hundred
41 fifty dollars.

42 5. Application for reissuance of a registered or practical nursing
43 license, one hundred fifty dollars.

- 1 6. Application for renewal of a registered nurse, **AN ADVANCED PRACTICE**
2 **REGISTERED NURSE** or a practical nurse license before expiration, one hundred
3 sixty dollars.
- 4 7. Application for renewal of **A REGISTERED NURSE, AN ADVANCED PRACTICE**
5 **REGISTERED NURSE OR A PRACTICAL NURSE** license after expiration, one hundred
6 sixty dollars, plus a late fee of fifty dollars for each month ~~a-~~ **THE** license
7 is lapsed, but not to exceed a total of two hundred dollars.
- 8 8. Application for renewal of a school nurse certificate, fifty
9 dollars.
- 10 9. Application for temporary registered nurse, practical nurse or
11 licensed nursing assistant license, fifty dollars.
- 12 10. Retaking the registered nurse or practical nurse examination, one
13 hundred dollars.
- 14 11. Issuing a license to an applicant to become a licensed nursing
15 assistant, fifty dollars.
- 16 12. Issuing a license to a licensed nursing assistant applicant for
17 renewal, fifty dollars.
- 18 13. Application for renewal of a licensed nursing assistant license
19 after its expiration, twenty-five dollars for each year it is expired, not to
20 exceed a total of one hundred dollars.
- 21 14. Issuing a duplicate license or certificate, twenty-five dollars.
- 22 15. Copying a nursing program transcript, twenty-five dollars.
- 23 16. Verification to another state or country of licensure for
24 endorsement, ~~certification~~ **LICENSURE** for advanced practice or licensed
25 nursing assistant licensure, fifty dollars.
- 26 17. Providing verification to an applicant for licensure or for
27 licensed nursing assistant licensure by endorsement, fifty dollars.
- 28 18. Application to prescribe, **ORDER** and dispense medication ~~and~~
29 ~~application to prescribe medication~~, one hundred fifty dollars.
- 30 ~~19. Application for renewal of prescribing and dispensing medication~~
31 ~~privileges before expiration and application for renewal of prescribing~~
32 ~~medication privileges before expiration, twenty dollars.~~
- 33 ~~20. Application for renewal of prescribing and dispensing medication~~
34 ~~privileges after expiration and application for renewal of prescribing~~
35 ~~medication privileges after expiration, thirty-five dollars.~~
- 36 ~~21.~~ 19. Issuing an inactive license, fifty dollars.
- 37 ~~22.~~ 20. Writing the national council licensing examination for the
38 first time, one hundred fifty dollars.
- 39 ~~23.~~ 21. Sale of publications prepared by the board, fifty dollars.
- 40 ~~24.~~ 22. Providing notary services, two dollars, or as allowed under
41 section 41-316.
- 42 ~~25.~~ 23. Copying records, documents, letters, minutes, applications and
43 files, fifty cents a page.
- 44 ~~26.~~ 24. Processing fingerprint cards, fifty dollars.
- 45 ~~27.~~ 25. Registration for board seminars, one hundred dollars.

~~28-~~ 26. Failing to notify the board of a change of address pursuant to section 32-1609, twenty-five dollars.

B. The board may collect from the drawer of a dishonored check, draft order or note an amount allowed pursuant to section 44-6852.

Sec. 12. Section 32-1644, Arizona Revised Statutes, is amended to read:

32-1644. Approval of nursing schools and programs; application; maintenance of standards

A. The board shall approve all new prelicensure nursing, ~~nurse practitioner and clinical nurse specialist~~ AND ADVANCED PRACTICE REGISTERED NURSING programs pursuant to this section. A postsecondary educational institution or A school in this state that is accredited by an accrediting agency recognized by the United States department of education desiring to conduct a registered nursing, practical nursing, ~~nurse practitioner or clinical nurse specialist~~ OR ADVANCED PRACTICE REGISTERED NURSING program shall apply to the board for approval and submit satisfactory proof that it is prepared to meet and maintain the minimum standards prescribed by this chapter and board rules.

B. The board or its authorized agent ~~shall~~ MAY conduct a survey of the institution or program applying for approval and shall submit a written report of its findings to the board. If the board determines that the program meets the requirements prescribed in its rules, ~~it~~ THE BOARD shall approve the applicant as either a registered nursing program, A practical nursing program, ~~nurse practitioner program or clinical nurse specialist program in a specialty area~~ OR AN ADVANCED PRACTICE REGISTERED NURSING PROGRAM. CERTIFIED NURSE PRACTITIONER AND CLINICAL NURSE SPECIALIST PROGRAMS MAY BE APPROVED ONLY FOR THE SPECIFIC POPULATION OF CARE.

C. A nursing program approved by the board may also be accredited by a national nursing accrediting agency recognized by the board. If a prelicensure nursing program is accredited by a national nursing accrediting agency recognized by the board, the board does not have authority over it unless any of the following occurs:

1. The board receives a complaint about the program relating to patient safety.

2. The program falls below the standards prescribed by the board in its rules.

3. The program loses its accreditation by a national nursing accrediting agency recognized by the board.

4. The program allows its accreditation by a national nursing accrediting agency recognized by the board to lapse.

D. From time to time the board, through its authorized employees or representatives, may resurvey all approved programs in the state and shall file written reports of these resurveys with the board. If the board determines that an approved nursing program is not maintaining the required standards, ~~it~~ THE BOARD shall immediately give written notice to the program

specifying the defects. If the defects are not corrected within a reasonable time as determined by the board, the board may take either of the following actions:

1. Approve the program but restrict the program's ability to admit new students until the program complies with board standards.
2. Remove the program from the list of approved nursing programs until the program complies with board standards.

E. All approved nursing programs shall maintain accurate and current records showing in full the theoretical and practical courses given to each student.

F. The board does not have regulatory authority over the following approved ~~nurse practitioner or clinical nurse specialist~~ ADVANCED PRACTICE REGISTERED NURSING programs unless the conditions prescribed in subsection C OF THIS SECTION are met:

1. ~~A nurse practitioner or clinical nurse specialist~~ AN ADVANCED PRACTICE REGISTERED NURSING program that is part of a graduate program in nursing accredited by an agency recognized by the board if the program was surveyed as part of the graduate program accreditation.
2. ~~A nurse practitioner or clinical nurse specialist~~ AN ADVANCED PRACTICE REGISTERED NURSING program that is accredited by an agency recognized by the board.

Sec. 13. Section 32-1663, Arizona Revised Statutes, is amended to read:

32-1663. Disciplinary action

A. If an applicant for licensure or certification commits an act of unprofessional conduct, the board, after an investigation, may deny the application or take other disciplinary action.

B. In its denial order, the board shall immediately invalidate any temporary license or certificate issued to the applicant.

C. Any person aggrieved by an order of the board issued under the authority granted by subsection A of this section may request an administrative hearing pursuant to title 41, chapter 6, article 10.

D. If the board finds, after affording an opportunity to request an administrative hearing pursuant to title 41, chapter 6, article 10, that a person who holds a license or certificate issued pursuant to this chapter has committed an act of unprofessional conduct, it may take disciplinary action.

E. If the board finds after giving the person an opportunity to request an administrative hearing pursuant to title 41, chapter 6, article 10 that a nurse who practices in this state and is licensed by another jurisdiction pursuant to section 32-1668 committed an act of unprofessional conduct, the board may limit, suspend or revoke the privilege of that nurse to practice in this state.

F. If the board determines pursuant to an investigation that reasonable grounds exist to discipline a person pursuant to subsection D or E

of this section, the board may serve on the licensee or certificate holder a written notice that states:

1. That the board has sufficient evidence that, if not rebutted or explained, will justify the board in taking disciplinary actions allowed by this chapter.

2. The nature of the allegations asserted and that cites the specific statutes or rules violated.

3. That unless the licensee or certificate holder submits a written request for a hearing within thirty days after service of the notice by certified mail, the board may consider the allegations admitted and may take any disciplinary action allowed pursuant to this chapter without conducting a hearing.

G. If the ARIZONA state board of nursing acts to modify any ~~registered nurse practitioner's prescription writing~~ ADVANCED PRACTICE REGISTERED NURSE'S PRESCRIPTION-WRITING privileges, it shall immediately notify the ARIZONA state board of pharmacy of the modification.

Sec. 14. Section 32-1666, Arizona Revised Statutes, as amended by Laws 2015, chapter 262, section 19, is amended to read:

32-1666. Unlawful acts

A. It is unlawful for a person who is not licensed or certified under this chapter to:

1. Practice or offer to practice as a registered or practical nurse, ~~registered nurse practitioner or clinical nurse specialist~~ OR ADVANCED PRACTICE REGISTERED NURSE in this state.

2. Represent or use any title, abbreviation, letters, figures, sign, card or device to indicate that the person or any other person is a registered nurse, graduate nurse, professional nurse, ~~nurse practitioner, clinical nurse specialist,~~ ADVANCED PRACTICE REGISTERED NURSE, practical nurse, licensed nursing assistant or certified nursing assistant.

3. Represent or use any title, abbreviation, letters, sign, card or device to indicate that the person or any other person is LICENSED OR certified pursuant to this chapter.

B. It is unlawful for a person to operate a training or educational program to prepare students for licensure or certification under this chapter unless it has been approved under this chapter.

Sec. 15. Section 32-1921, Arizona Revised Statutes, is amended to read:

32-1921. Exempted acts; exemption from registration fees; definition

A. This chapter does not prevent:

1. The ~~prescription~~ PRESCRIBING and dispensing of drugs or prescription medications by ~~a registered nurse practitioner~~ AN ADVANCED PRACTICE REGISTERED NURSE pursuant to rules adopted by the ARIZONA STATE board of nursing in consultation with the Arizona medical board, the board of osteopathic examiners in medicine and surgery and the board of pharmacy.

1 2. The sale of nonprescription drugs that are sold at retail in
2 original packages by a person holding a permit issued by the board under this
3 chapter.

4 3. The sale of drugs at wholesale by a wholesaler or manufacturer that
5 holds the required permit issued by the board to a person who holds the
6 required permit issued under this chapter.

7 4. The manufacturing of drugs by a person who is not a pharmacist and
8 who holds the required permit issued by the board under this chapter.

9 5. The following health professionals from dispensing or personally
10 administering drugs or devices to a patient for a condition being treated by
11 the health professional:

12 (a) A doctor of medicine licensed pursuant to chapter 13 of this
13 title.

14 (b) An osteopathic physician licensed pursuant to chapter 17 of this
15 title.

16 (c) A homeopathic physician licensed pursuant to chapter 29 of this
17 title.

18 (d) A podiatrist licensed pursuant to chapter 7 of this title.

19 (e) A dentist licensed pursuant to chapter 11 of this title.

20 (f) A doctor of naturopathic medicine who is authorized to prescribe
21 natural substances, drugs or devices and who is licensed pursuant to chapter
22 14 of this title.

23 (g) An optometrist who is licensed pursuant to chapter 16 of this
24 title and who is certified for topical or oral pharmaceutical agents.

25 6. A veterinarian licensed pursuant to chapter 21 of this title from
26 dispensing or administering drugs to an animal or from dispensing or
27 administering devices to an animal being treated by the veterinarian.

28 7. The use of any pesticide chemical, soil or plant nutrient or other
29 agricultural chemical that is a color additive solely because of its effect
30 in aiding, retarding or otherwise affecting directly or indirectly the growth
31 or other natural physiological process of produce of the soil and thereby
32 affecting its color whether before or after harvest.

33 8. A licensed practical or registered nurse employed by a person
34 licensed pursuant to chapter 7, 11, 13, 14, 17 or 29 of this title from
35 assisting in the delivery of drugs and devices to patients, in accordance
36 with chapter 7, 11, 13, 14, 17 or 29 of this title.

37 9. The use of any mechanical device or vending machine in connection
38 with the sale of any nonprescription drug, including proprietary and patent
39 medicine. The board may adopt rules to prescribe conditions under which
40 nonprescription drugs may be dispensed pursuant to this paragraph.

41 B. A person who is licensed pursuant to chapter 7, 11, 13, 14, 17 or
42 29 of this title and who employs a licensed practical or registered nurse who
43 in the course of employment assists in the delivery of drugs and devices is
44 responsible for the dispensing process.

C. Pursuant to a prescription order written by a physician for the physician's patients and dispensed by a licensed pharmacist, a physical therapist licensed pursuant to chapter 19 of this title, an occupational therapist licensed pursuant to chapter 34 of this title or an athletic trainer licensed pursuant to chapter 41 of this title may procure, store and administer nonscheduled legend and topical anti-inflammatories and topical anesthetics for use in phonophoresis and iontophoresis procedures and within the scope of practice of physical or occupational therapy or athletic training.

D. A public health facility operated by this state or a county and a qualifying community health center may dispense medication or devices to patients at no cost without providing a written prescription if the public health facility or the qualifying community health center meets all storage, labeling, safety and record keeping rules adopted by the board of pharmacy.

E. A person who is licensed pursuant to chapter 7, 11, 13, 14, 17 or 29 of this title, who is practicing at a public health facility or a qualifying community health center and who is involved in the dispensing of medication or devices only at a facility or center, whether for a charge or at no cost, shall register to dispense with the appropriate licensing board but is exempt from paying registration fees.

F. For the purposes of this section, "qualifying community health center" means a primary care clinic that is recognized as nonprofit under section 501(c)(3) of the United States internal revenue code and whose board of directors includes patients of the center and residents of the center's service area.

Sec. 16. Current nursing certificate holders: licensure: renewal: Arizona state board of nursing membership

A. A nurse practitioner, certified nurse midwife, clinical nurse specialist or certified registered nurse anesthetist who is currently certified but has not passed a national certification exam or who has not completed a graduate-level education program may receive or renew a license if:

1. The nurse practitioner or certified nurse midwife received certification from the Arizona state board of nursing before January 1, 2005 or was certified or licensed in that role before January 1, 2001 in any United States jurisdiction and has continuously maintained that licensure or certification.

2. The clinical nurse specialist or certified registered nurse anesthetist received certification from the Arizona state board of nursing before July 1, 2017 or was certified or licensed in that role before July 1, 2017 in any United States jurisdiction and has continuously maintained that licensure or certification.

B. A nurse practitioner or certified nurse midwife who has not passed a national certification examination may renew prescribing privileges if the prescribing privileges were granted before July 1, 2017.

1 C. A nurse practitioner or clinical nurse specialist who holds a
2 current certificate issued by the Arizona state board of nursing and who is a
3 member of the board may continue to serve on the board for the remainder of
4 the person's term notwithstanding the requirement that the advanced practice
5 registered nurse member of the board be licensed for at least three years
6 preceding appointment to the board.

7 Sec. 17. Arizona state board of nursing; rulemaking exemption;
8 consultation

9 A. For the purposes of implementing this act, the Arizona state board
10 of nursing is exempt from the rulemaking requirements of title 41, chapter 6,
11 Arizona Revised Statutes, until July 1, 2017, except that the board shall
12 provide public notice and an opportunity for public comment on proposed rules
13 at least sixty days before the rules are amended or adopted.

14 B. For purposes of the consultation required by section 32-1921,
15 Arizona Revised Statutes, as amended by this act, the Arizona state board of
16 nursing shall provide to the Arizona state board of pharmacy, the Arizona
17 medical board and the Arizona board of osteopathic examiners in medicine and
18 surgery a draft of the proposed rules at least sixty days before any noticed
19 opportunity for public comment under subsection A of this section.

20 Sec. 18. Conforming legislation

21 The legislative council staff shall prepare proposed legislation
22 conforming the Arizona Revised Statutes to the provisions of this act for
23 consideration in the fifty-third legislature, first regular session.

24 Sec. 19. Effective date

25 This act is effective from and after June 30, 2017.